



A BILL FOR AN ORDINANCE

RELATING TO THE USE OF ELECTRONIC DEVICES WHILE OPERATING MOTOR VEHICLES.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to prohibit the use of certain electronic devices while operating a motor vehicle.

SECTION 2. Chapter 15, Article 24, Revised Ordinances of Honolulu 1990, as amended ("Miscellaneous Provisions"), is further amended to read as follows:

"Sec. 15-24. Mobile electronic devices."

- (a) No person shall operate a motor vehicle while using a mobile electronic device.
- (b) The use of a mobile electronic device for the sole purpose of communicating with emergency responders while in the performance of their official duties shall be an affirmative defense to this ordinance.
- (c) Police officers and emergency service personnel, including fire fighters, emergency service technicians and civil defense workers shall be exempt from the provisions of subsection (a) while in the performance and scope of their official duties.
- (d) As used in this section:

"Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing wireless and/or data communication between two or more persons or of providing amusement, including but not limited to a cellular phone, text messaging device, paging device, personal digital assistant, laptop computer, video game, or digital photographic device, but does not include any audio equipment or any equipment installed in a motor vehicle for the purpose of providing navigation, emergency assistance to the operator of the motor vehicle or video entertainment to the passengers in the rear seats of the motor vehicle.

"Operate a motor vehicle" means to drive or assume actual physical control of a vehicle upon a public way, street, road, or highway.

"Use or using" means holding a mobile electronic device while operating a motor vehicle."



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

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SECTION 3. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

INTRODUCED BY:

Bob Tan
Daniel 67

DATE OF INTRODUCTION:

JAN 28 2009

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20____.

MUFU HANNEMANN, Mayor
City and County of Honolulu